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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,802	06/29/2001	Roger Bredow	RSW920010099US1	8307

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EXAMINER

CHEN, PO WEI

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 05/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,802

Applicant(s)

BREDOW ET AL.

Examiner

Po-Wei (Dennis) Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claims 1-26 are pending in this application. Claim 1, 3, 14 and 16 are independent claims. This action is non-final

The present title of the invention is "Method and Computer Program Product for Using a Scrolling Computer Mouse to Select Pages of a Set of Linked Web Pages".

The Group Art Unit of the Examiner case is now 2697. Please use the proper Art Unit number to help us serve you better.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 9, 12-13, 14-16, 22 and 25-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Armstrong (US 6,198,473).

3. Regarding claim 1, Armstrong discloses a computer mouse with enhance control buttons comprising:

A method for browsing a set of linked web pages; detecting scrolling output; responsive to the scrolling output; determining a URL of a web page; and accessing the web page by a web browser ("the analog sensor(s) serve a dual role, one role may be used as a previous link or web site address Back or Forward switch for moving backward or forward to a previously viewed screen or address or menu of previous screens or addresses, and another role as a variable or

analog sensor for variable rate window or screen scroll control”, see lines 54-67 of column 6, lines 1-16 of column 7 and lines 52-58 of column 23). It is noted that the device which sends the screen scroll control signals also has the function to browse web pages. When the computer receive the scroll control signals from the device, depending on the mode it is in, perform functions accordingly. Also, it is clear that a web site address is same as a URL recited by the claim. Thus, limitation of claim is met.

4. Regarding claim 2, Armstrong discloses a computer mouse with enhance control buttons comprising:

The scrolling output is from a scroll mouse (“With the analog sensors as scroll control depressible buttons on the desktop mouse in accordance with the invention”, see lines 13-14 of column 6 and Fig. 1).

5. Regarding claim 3, Armstrong discloses a computer mouse with enhance control buttons comprising:

A method for using a scroll mouse to browse a set of linked web pages; displaying a source page that is a member of a set of linked web pages; detecting scrolling output of a scroll mouse while the source page is displayed; determining a sense of direction of the scrolling output; responsive to the sense of direction, determining a URL associated with a destination page that is a member of the set of linked web pages; accessing the destination web page by a web browser (see lines 13-14, 21-25 and 54-67 of column 6, lines 1-16 of column 7 and lines 52-58 of column 23). It is noted that by using the scrolling control elements of the mouse, user can navigate previously viewed pages in one of modes of the scrolling control elements detected by the computer. Also, user can navigate previously viewed pages in both forward and backward

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directions depending on either scroll-up or scroll-down signal detected. Thus, limitation of claim is met.

6. Regarding claim 9, Armstrong discloses a computer mouse with enhance control buttons comprising:

The URL is associated with a forward button of a web browser when the sense of direction is forward and the URL is associated with a back button of the web browser when the sense of direction is backward (“one role may be used as a previous link or web site address Back or Forward switch for moving backward or forward to a previously viewed screen or address or menu of previous screens or addresses”, see lines 21-25 and 54-67 of column 6, lines 1-16 of column 7 and lines 52-58 of column 23). It is noted that while claim recites sense of direction is forward or backward, instead of scrolling-up and scrolling-down disclosed by Armstrong. However it is clear that relatively, by scrolling-up provides the sense of forward direction. Also, it is noted that the functions of scrolling-up and scrolling-down can be programmed as desired by user (see lines 65-67 of column 11). Thus, limitation of claim is met.

7. Regarding claims 12 and 13, Armstrong discloses a computer mouse with enhance control buttons comprising:

The URL is the URL associated with a forward button of the web browser; the URL is the URL associated with a back button of the web browser (see lines 54-67 of column 6, lines 1-16 of column 7 and lines 52-58 of column 23).

8. Regarding claims 14-16, 22 and 25-26, the statements presented, above, with respect to claims 1-3, 9 and 12-13 are incorporated herein. Also see lines 13-21 of column 6.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 8, 10-11, 21 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Armstrong (US 6,198,473) as applied to claims 3 and 16 above.

11. Regarding claims 8, 10 and 11, Armstrong discloses a computer mouse with enhance control buttons comprising:

The URL is associated with a next button of the source page when the sense of direction is forward and the URL is associated with a previous button of the source page when the sense of direction is backward; the URL is the URL associated with a next button of the source page; the URL is the URL associated with a previous button of the source page (see lines 21-25 and 54-67 of column 6 and lines 1-16 of column 7). It is noted that while claim recites sense of direction is forward or backward, instead of scrolling-up and scrolling-down disclosed by Armstrong. However it is clear that relatively, by scrolling-up provides the sense of forward direction. Also, it is noted that the functions of scrolling-up and scrolling-down can be programmed as desired by user (see lines 65-67 of column 11).

It is further noted that while claims recite NEXT and PREVIOUS buttons instead of BACK and FORWARD buttons disclosed by Armstrong. However, it would have been obvious to one of ordinary skill in the art at the time of invention to understand that while the labels of the buttons are different in browsers, they function the same. Thus, limitation of claim is met.

It is also noted that while claim recites the URL is associated with NEXT or PREVIOUS buttons in the source page. However, it would have been obvious to one of ordinary skill in the art at the time of invention to realize that the NEXT and PREVIOUS buttons in a web page are programmed by web page developer to trigger the functions of NEXT and PREVIOUS buttons of the web browser. Thus, limitation of claim is met.

12. Regarding claims 21 and 23-24, the statements presented, above, with respect to claims 8, 10-11 are incorporated herein. Also see lines 13-21 of column 6 of Armstrong.

13. Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Armstrong (US 6,198,473) as applied to claims 3 and 16 above, and further in view of Gillick et al. (US 5,530,455; refer to as Gillick herein).

14. Regarding claim 4, it is noted that Armstrong does not disclose the scroll mouse includes a scroll wheel. However, this is known in the art taught by Gillick. Gillick discloses a roller mouse for implementing scrolling in windows applications comprising "reading rotation of a wheel, such as roller 24" (see lines 4-5 of column 4 and Fig. 1). It would have been obvious to one of ordinary skill in the art at the time of invention to provide the improvement of scrolling function of mice (see lines 21-24 of column 2). Also, since Armstrong and Gillick both disclose a mouse device for scrolling function, it would have been a designer's choice to use a roller wheel or buttons to perform the same functions.

15. Regarding claim 17, the statements presented, above, with respect to claim 4 are incorporated herein. Also see lines 13-21 of column 6 of Armstrong.

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16. Claims 5-6 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Armstrong (US 6,198,473) as applied to claims 3 and 16 above, and further in view of Barros (US 5,530,455).

17. Regarding claim 5, it is noted that the set of linked pages includes an on-line catalog. However, this is known in the art taught by Barros. Barros teaches a graphic-information flow method that "In FIG. 9c, a slotting system is used in an online catalogue to present for comparison a category of products from many producers" (see lines 6-8 of column 20 and Fig. 9c). It would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teaching of Barros to provide a way to present data on a web page. Because Armstrong discloses a device to navigate between linked web pages on a browser and can also be utilize on the online catalogue disclosed by Barros to provide an improved way to navigate through those web pages.

18. Regarding claim 6, it is noted that the set of linked pages includes a search list provided by an Internet search engine. However, this is known in the art taught by Barros. Barros teaches a graphic-information flow method that "viewers must learn of and locate, usually via a search engine, and then must browse through to find one piece of information at a time" and "The user has undertaken a search...A list of applicable hotels with a retrieval bar then appeared in the key area" (see line 67 of column 7, lines 1-2 of column 8 and lines 19-23 of column 17). It would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teaching of Barros to provide a way to present data on a web page. Because Armstrong discloses a device to navigate between linked web pages on a browser and can also be utilize on a page

with search list provided by an Internet search engine disclosed by Barros to provide an improved way to navigate through those web pages.

19. Regarding claims 18-19, the statements presented, above, with respect to claims 5-6 are incorporated herein. Also see lines 13-21 of column 6 of Armstrong.

20. Claims 7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Armstrong (US 6,198,473) as applied to claims 3 and 16 above, and further in view of Bates et al. (US 5,877,766; refer to as Bates herein).

21. Regarding claim 7, it is noted that Armstrong does not disclose the set of linked pages is identified by a set of URLs held in web browser memory. However, this is known in the art taught by Bates. Bates teaches an user interface for accessing a plurality of linked records that “many web browsers for example maintain a memory and/or hard disk cache of documents” (see lines 8-11 of column 28). It would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teaching of Bates to significantly increase the performance of web browsing (see lines 16-20 of column 28, Bates).

22. Regarding claim 20, the statements presented, above, with respect to claim 7 are incorporated herein. Also see lines 13-21 of column 6 of Armstrong.

Conclusion

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Flagg (US 6,445,378) discloses “Mouse Pad for Initiating or Controlling Software Applications”.

Dougherty et al. (US 6,518,950) disclose “Methods and Systems for Providing

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Human/Computer Interface".

Inquiry

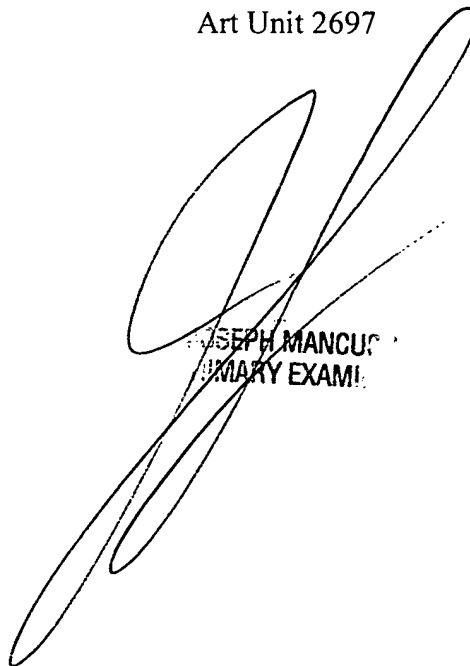
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Po-Wei (Dennis) Chen whose telephone number is (703) 305-8365. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (703) 305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6743 for regular communications and (703) 308-6743 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Po-Wei (Dennis) Chen
Examiner
Art Unit 2697

Po-Wei (Dennis) Chen
May 15, 2003



JOSEPH MANCUSO
PRIMARY EXAMINER